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Security Council Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic

Note verbale dated 7 May 2014 from the Permanent Mission of France to the United Nations addressed to the Chair of the Committee

The Permanent Mission of France to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic, and has the honour to inform it of the following:

In paragraph 42 of Security Council resolution 2134 (2014), the Council "calls upon all Member States to report to the Committee within ninety days from the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraph 54 of resolution 2127 (2013) and paragraphs 30 and 32 of this resolution".

In accordance with this provision, France wishes to bring the following information to the attention of the Security Council on the steps it has taken with a view to implementing this text:

1. *European regime*

Pursuant to resolutions 2127 (2013) and 2134 (2014), the European Union adopted Council Decision 2014/125/CFSP of 10 March 2014 amending Decision 2013/798/CFSP concerning restrictive measures against the Central African Republic, and Council Regulation No. 224/2014 concerning restrictive measures in view of the situation in the Central African Republic. Both decision and the regulation are immediately applicable in France.

The French authorities base their export decisions not only on the above-mentioned decision and regulation, but also, and in particular, on criteria set out in international treaties, conventions or instruments to which France has acceded, including Criterion One of Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment, which refers to "respect for the international obligations and commitments of Member States, in particular the sanctions adopted by the United Nations Security Council or the European Union [...]. An export licence

shall be denied if approval would be inconsistent with, inter alia [...], the international obligations of Member States and their commitments to enforce United Nations [and] European Union arms embargoes [...].

2. *Regime in France*

The French regime for control of exports of military and related equipment is based on general principles:

- Prohibition, unless authorized by the State and under its control: this principle, which is justified by the unique nature of the arms trade, is captured in legislation (articles L-2335-2 and 3 of the Defence Code);
- Ongoing interministerial coordination and consultation: control of exports is under the responsibility of the Prime Minister.

Any request for authorization for the export of military and related equipment, including those destined for a country subject to restrictive measures, is therefore considered within this framework, in order to fully implement the restrictive measures established by such bodies as the United Nations and the European Union.

Lastly, since the Sanctions Committee has not yet made any designation, no asset freeze or travel ban has been implemented in the country.